

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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BOBBIE TORRY,

Plaintiff,

v.

SEAN SALTER,

Defendant.

ORDER

11-cv-748-slc

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Plaintiff Bobbie Torry, a prisoner at Columbia Correctional Institution in Portage, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis*. A decision on the request will be delayed until plaintiff pays an initial partial payment of the \$350 filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Plaintiff's initial partial payment cannot be calculated at this time because the trust fund account statement he submitted with his complaint does not cover the full six-month period immediately preceding the filing of his complaint.

Plaintiff's complaint was filed on November 2, 2011. His trust fund account statement should cover the six-month period beginning approximately May 2, 2011 and ending approximately November 2, 2011. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under 28 U.S.C. § 1915(e)(2). Plaintiff should show a copy of this order to prison officials to ensure that they are aware they should send a copy of plaintiff's six-month trust fund account statement to this court.

ORDER

IT IS ORDERED that plaintiff Bobbie Torry may have until November 28, 2011, in which to submit a certified copy of his trust fund account statement for the period beginning approximately May 2, 2011 and ending approximately November 2, 2011. If, by November 28, 2011, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily. In that event, the clerk of court is directed to close this case without prejudice to plaintiff's filing his case at a later date.

Entered this 4<sup>th</sup> day of November, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge